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Attorney for Debtor Edward S. Ehee

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

VIPER CAPITAL MANAGEMENT, *et al.*

Defendants.

AND RELATED ACTIONS

No. C 06-6966 SI

(Related Case Nos. C 06-7270 SI,
C 07-2507 SI, C 07-2508 SI, C 07-2509 SI)

(Formerly: U.S. Bk. Ct. N.D. Cal. Involuntary
Chapter 7 Case Nos. 07-40126T, 07-40129T,
07-40130T)

**EDWARD EHEE'S CONDITIONAL
OPPOSITION TO REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
MOTION FOR JOINT
ADMINISTRATION (ORIGINALLY
FILED WITH U.S. BANKRUPTCY
COURT ON APRIL 26, 2007)**

Date: July 13, 2007
Time: 9:00 A.M.
Place: 450 Golden Gate Ave.
San Francisco, CA
Courtroom 10
Judge: Hon. Susan Illston

The undersigned hereby refiles the attached document originally filed with the U.S.
Bankruptcy Court N.D. Cal. on April 26, 2007.

DATED: June 27, 2007

/s/ James D. Wood

James D. Wood
Attorney for Debtor EDWARD S. EHEE

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

EDWARD SEWTON EHEE,

Debtor.

Case No. 07-40126T

(Involuntary Chapter 7)

**EDWARD EHEE'S CONDITIONAL
OPPOSITION TO REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF MOTION FOR
JOINT ADMINISTRATION**

Hearing:

Date: May 3, 2007

Time: 3:00 P.M.

Place: 1300 Clay Street
Oakland, CA
Courtroom 201

Judge: Hon. Leslie J. Tchaikovsky

EDWARD SEWTON EHEE, ("Ehee") conditionally opposes the "REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION FOR JOINT ADMINISTRATION" filed in this case dated April 9, 2007 ("Jud. Notice Request") by ROOSEVELT FUND, L.P.

("Roosevelt") as follows:

1. Ehee does *not* oppose the Jud. Notice Request to the extent it is construed as requesting only that the Court take judicial notice of the various case dockets referenced in the request. However, such case dockets establish only that the cases referenced thereby are

1 pending and the documents referenced therein have been filed with the this Court or the U.S.
2 District Court.

3 2. The existence of the case dockets alone most certainly does not authenticate the
4 contents of any documents referenced in them nor establish any of the allegations set-forth in the
5 documents filed with those courts. Most obviously, they do not either establish or evidence the
6 allegations contained in the complaint filed by the SEC referred to in Exhibit C of the Jud. Notice
7 Request.
8

9 3. Accordingly, Ehee opposes the request to the extent the Jud. Notice Request is
10 construed as requesting the Court to treat the dockets in question or the documents referenced in
11 such dockets as substantive evidence of any of any underlying fact referred to therein.
12

13 Respectfully submitted,

14 /s/ James D. Wood

15 DATED: April 26, 2007

16

James D. Wood
Attorney for EDWARD S. EHEE

17 CondNonOpptoJudNot_Ehee070426_01.doc 4/26/07 JDW